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November 7, 2023

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Via Electronic Filing

Honorable Patrick G. Radel
United States Bankruptcy Court
Northern District of New York
Alexander Pirnie U.S. Courthouse
and Federal Building
10 Broad Street
Utica, NY 13501

Re: The Roman Catholic Diocese of Ogdensburg, New York; Case No. 23-60507; The Roman Catholic Diocese of Ogdensburg, New York; et al. v. Certain Underwriters at Lloyd's, London; et al.; Adv. Pro. Case No. 23-80013 -Mediator Selection

Dear Judge Radel:

We write in connection with this Court's *Order Referring Certain Matters to Mediation* (the "Mediation Order") [Adv. Pro. Docket No. 39] and in response to the Debtor's Letter filed on November 2, 2023 with respect to the selection of a mediator (the "Debtor's Letter") [Docket No. 45]. For the reasons stated on the record and in the *Response of the Official Committee of Unsecured Creditors Regarding Debtor's Motion for Entry of an Order Referring Certain Matters to Mediation* [Docket Np. 19], the Committee strongly believes that either retired Judge Christopher Sontchi or Roger Kramer should be appointed as the mediator for this case.

Judge Sontchi is uniquely qualified to serve as mediator for this case because he presided over the chapter 11 case of the Diocese of Wilmington, Delaware, which had issues regarding property of the estate similar to the Diocese of Ogdensburg's case. He has mediated many complex matters, both on and off the bench. His



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credentials and contact information are available at:
www.sontchillc.com

Mr. Kramer has mediated numerous clergy abuse matters and served as claims allocator in prior Diocesan and Religious Order chapter 11 cases. He currently serves as mediator for approximately 64 CVA claims against the Archdiocese of New York. His hourly rate is \$500 per hour and he confirmed that he has time to devote to this matter and is willing to travel as necessary to attend mediation sessions. His credentials and contact information are available at: www.kramerlitigation.com/index.htm

As discussed today, the Committee asks the Court to interview each candidate it considers for the mediator position.

As the Court in the Diocese of Buffalo noted, the Committee, on behalf of survivors, bears the most risk in this process. Here, the Committee believes Judge Sontchi or Mr. Kramer are the mediators most likely to lead to an efficient and consensual resolution, the Committee respectfully requests the appointment of Judge Sontchi or Mr. Kramer.

Respectfully submitted,

/s/ Ilan D. Scharf

Ilan D. Scharf

cc: Stephen A. Donato, Esq.